

R 231339Z DEC 90  
FM AMEMBASSY KHARTOUM  
TO SECSTATE WASHDC 8499  
INFO RUEHDS/AMEMBASSY ADDIS ABABA  
AMEMBASSY CAIRO  
AMEMBASSY KAMPALA  
AMEMBASSY LONDON  
AMEMBASSY NAIROBI  
AMEMBASSY PARIS  
AMEMBASSY RIYADH  
USCENTCOM REAR MACDILL AFB FL  
DIA WASHDC

UNCLAS KHARTOUM 13366

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SUBJECT: SUDANESE HEAD OF STATE ENDORSES SHARIA LAW

REF: A) KHARTOUM 11067, B) KHARTOUM 11182,  
C) KHARTOUM 11159

¶1. ACCORDING TO SUDAN'S ENGLISH LANGUAGE WEEKLY "NEW HORIZON," SUDAN'S HEAD OF STATE, GENERAL OMAR AL BASHIR, HAS PUBLICLY ENDORSED THE 1983 SEPTEMBER LAWS. PROVIDING FOR CORPORAL PUNISHMENT KNOWN AS "HUDUD," THE SEPTEMBER LAWS ARE ONE OF THE MOST CONTROVERSIAL ASPECTS OF SUDANESE SOCIETY AND JURISPRUDENCE. ALTHOUGH PRECEDING THE SEPTEMBER LAWS, JOHN GARANG'S REBELLION IN MARCH 1983 CAME IN PART AS A RESULT OF THEN PRESIDENT NIMEIRI'S TREND TOWARD ISLAMICIZATION. HUDUD PUNISHMENTS, ALTHOUGH HANDED DOWN, HAVE NOT BEEN IMPLEMENTED SINCE NIMEIRI'S OVERTHROW IN 1985, AND THE ROLE OF SHARIA REMAINS A MAJOR SYMBOL IN THE CONTINUING CIVIL WAR.

¶2. COMMENT: BASHIR'S ENDORSEMENT OF THE SEPTEMBER LAWS COULD LEAD TO IMPLEMENTATION OF HUDUD PUNISHMENTS. IT WILL CERTAINLY LEAD TO A FURTHER ESTRANGEMENT FROM THE SOUTH (IF THAT IS POSSIBLE). IN ADDITION, BASHIR'S ANNOUNCEMENT COULD LEAD TO DIFFICULTIES IN SUDAN'S UNITY PLANS WITH LIBYA. DURING HIS RECENT VISIT TO KHARTOUM QADHAFI WAS VERY CRITICAL OF SHARIA AND ALLEGEDLY INTIMIDATED BASHIR INTO NOT ENDORSING SHARIA AT THAT TIME (REFTELS).

O'NEILL